



# SEALED

U.S. Department of Justice

United States Attorney  
District of Arizona

Two Renaissance Square  
40 N. Central Ave., Suite 1800  
Phoenix, AZ 85004-4408

Main: (602) 514-7500  
Main Fax: (602) 514-7693

July 30, 2019

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JUL 30 2019	
CLERK U.S. DISTRICT COURT DISTRICT OF ARIZONA	
BY <u>Kevin M. Rapp</u> DEPUTY	

Honorable Camille D. Bibles  
United States Magistrate Judge  
123 North San Francisco Street, Suite 200  
Flagstaff, Arizona 86001

Re: United States v. David Allen Harbour  
USAO No. 2018R10217  
Court No. CR-19-00898-PHX-DLR (DMF)

Dear Magistrate Judge Bibles:

This case has been or may be assigned to you. In order for you to determine whether a potential conflict may exist in a matter that has been assigned to your Court, and in light of your former positions with the Department of Justice, you have requested that we automatically provide the following information. We have carefully reviewed all of the available records in our office, to include internal computer data, and determined that:

☐ A CONFLICT MAY EXIST

To the best of my knowledge, you had direct involvement in this case or matter while you were employed with the U.S. Attorney's Office on the following dates: October 1, 1998 through January 11, 2002; January 5, 2004 through March 2, 2012; and April 6, 2015 through February 5, 2019.

☒ NO PROBABLE CONFLICT

My review of the file and/or court docket indicates you did not have direct involvement in this case or matter.

Please feel free to contact me with any questions. Thank you.

Sincerely,

MICHAEL BAILEY  
United States Attorney  
District of Arizona

  
KEVIN M. RAPP  
Assistant United States Attorney

KMR/as



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Honorable Dominic W. Lanza  
U.S. District Court Judge  
Sandra Day O'Connor U.S. Courthouse, Suite 621  
401 W. Washington Street, SPC 46  
Phoenix, Arizona 85003-2151

Re: United States v. David Allan Harbour  
USAO No. 2018R10217  
Court No.

Dear Judge Lanza:

This case has been or may be assigned to you. In order for you to determine whether a potential conflict may exist in a case or matter that has been assigned to your Court, and in light of your former positions with the Department of Justice, you have requested that we automatically provide the following information. We have carefully reviewed all the available records in our office, including the computer data, and determined that (mark the appropriate category, if applicable):

☒ A CONFLICT MAY EXIST

- ☐ The case or matter was in the White Collar Fraud and Public Corruption Section of the United States Attorney's Office for the District of Arizona while you served in a supervisory capacity over that section (**December 2, 2012 through January 24, 2015**).
- ☒ The case or matter was in the United States Attorney's Office for the District of Arizona while you served in a supervisory capacity over the Criminal Division (**January 25, 2015 through September 11, 2018**).
- ☐ My review of the file indicates that you had direct involvement in this case or matter while you worked in the United States Attorney's Office for the District of Arizona (**October 14, 2008 through September 11, 2018**).

☐ NO PROBABLE CONFLICT

- ☐ My review of the file indicates that: 1) you had no direct involvement in the case or matter; 2) the case or matter was not in the White Collar Fraud and Public Corruption Section when you supervised that section (**December 2, 2012 through January 24, 2015**); and 3) the case or matter was not in the office when you had supervisory authority over the Criminal Division (**January 25, 2015 through September 11, 2018**).

Sincerely,

MICHAEL BAILEY  
United States Attorney  
District of Arizona

  
KEVIN M. RAPP  
Assistant United States Attorney

KMR/as